

BILL NO. S-97-08- //

SPECIAL ORDINANCE NO. S-80-97

**AN ORDINANCE AMENDING CHAPTER 90:  
ABANDONED VEHICLES OF THE CITY OF FORT  
WAYNE CODE OF ORDINANCES.**


**NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE  
CITY OF FORT WAYNE, INDIANA:**

**SECTION 1.** That Chapter 90: Abandoned Vehicles of the City of Fort Wayne Code  
Ordinances be amended to add Section 90.03 (A):

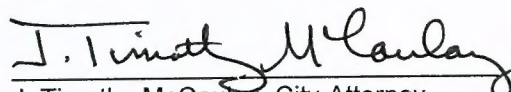
**§ 90.03 REMOVAL BY DIVISION OF COMMUNITY AND ECONOMIC  
DEVELOPMENT**

(A) Pursuant to Indiana Code 9-22-1-13(b), The Division of Community and Economic  
Development may dispose of a vehicle or parts if the established market value of said vehicle  
or parts is not more than five hundred dollars (\$500.00).

**SECTION** That this Ordinance be in effect from and after its passage and any and all  
necessary approval by the Mayor.

  
\_\_\_\_\_  
Council Member

APPROVED AS TO FORM AND LEGALITY

  
\_\_\_\_\_  
J. Timothy McCaulay, City Attorney

Read the first time in full and on motion by Garnie,  
and duly adopted, read the second time by title and referred to the Committee on  
Regulations, (and the City Plan Commission for recommendation)  
and Public Hearing to be held after due legal notice, at the Common Council Conference  
Room 128, City-County Building, Fort Wayne, Indiana, on \_\_\_\_\_,  
the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_  
o'clock \_\_\_\_\_ M., E.S.T.

DATED: 8-12-97

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Garnie,  
and duly adopted, placed on its passage. PASSED  
by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT
TOTAL VOTES	<u>8</u>			<u>1</u>
BENDER	<u>✓</u>			
CRAWFORD	<u>✓</u>			
EDMONDS	<u>✓</u>			
HALL	<u>✓</u>			
HAYHURST				<u>✓</u>
HENRY	<u>✓</u>			
LUNSEY	<u>✓</u>			
RAVINE	<u>✓</u>			
SCHMIDT	<u>✓</u>			

DATED: 8-26-97

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana,  
as (ANNEXATION) \_\_\_\_\_ (APPROPRIATION) \_\_\_\_\_ (GENERAL) \_\_\_\_\_ (SPECIAL) \_\_\_\_\_  
(ZONING) \_\_\_\_\_ ORDINANCE \_\_\_\_\_ RESOLUTION NO. S-80-97  
on the 26th day of August, 19 97

Sandra E. Kennedy ATTEST  
SANDRA E. KENNEDY, CITY CLERK

SEAL

Thomas P. Helmke  
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the  
27th day of August, 19 97,  
at the hour of 11:30 o'clock PM, M., E.S.T.

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 28th day  
of August, 19 97, at the hour of 1:00  
o'clock \_\_\_\_\_ M., E.S.T.

Paul Helmke  
PAUL HELMKE, MAYOR

DIGEST SHEET

TITLE OF ORDINANCE SPECIAL ORDINANCE

DEPARTMENT REQUESTING ORDINANCE NEIGHBORHOOD CODE ENFORCEMENT

SYNOPSIS OF ORDINANCE ADDS SECTION 90.03 (A) TO THE CITY OF FORT WAYNE CODE OF  
ORDINANCES. THIS SECTION WOULD ALLOW NEIGHBORHOOD CODE ENFORCEMENT OFFICERS  
TO DISPOSE OF VEHICLES AND PARTS WHICH HAVE AN ESTABLISHED MARKET VALUE OF LESS  
THAN FIVE HUNDRED DOLLARS (\$500.00)

EFFECT OF PASSAGE NEW SECTION IS APPROVED.

EFFECT OF NON-PASSAGE VEHICLE AND PART DISPOSAL VALUE REMAINS AT \$100.00.

MONEY INVOLVED (DIRECT COSTS, EXPENDITURES, SAVINGS) \_\_\_\_\_

ASSIGNED TO COMMITTEE (PRESIDENT) \_\_\_\_\_



## MEMORANDUM

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TO: CITY COUNCIL

FROM: GARY BAETEN, ADMINISTRATOR NCE

DATE: AUGUST 6, 1997

SUBJECT: ABANDONED VEHICLE ORDINANCE AMENDMENT

The Indiana State Legislature recently passed amendments to the Indiana Code concerning abandoned/inoperable motor vehicles. The changes affect three areas of the current statute and I have attempted to explain each for your convenience.

The first change addresses the age of vehicles that are subject to this statute. The legislature changed the law so that all vehicles that are three(3) years or older are subject to the statute, in the previous statute only vehicles six(6) years old or older were affected.

The second change affects the length of time that cities must wait between the posting of a vehicle as abandoned/inoperable and the time that the vehicle can be removed from the property. Under the statute previous to July 1, 1997 the time period was thirty(30) days, that time has been reduced to twenty(20) days. This change is very beneficial to the neighborhoods by removing vehicles that are not only eyesores, but health and safety problems, from the neighborhoods in a shorter period of time.

The third, and only section of the statute that requires action by municipalities in Indiana, involves the value of vehicles that are required to go to auction. Prior to July of 1997 all vehicles with a value of over \$100 were required to go through the auction process in order to dispose of them, all vehicles with a value of less than \$100 were scrapped thereby eliminating the possibility of the same vehicles returning to the neighborhoods. The new amendment allows cities in Indiana to establish this value at \$500. The approval of this amendment will eliminate many of the vehicles from returning to the neighborhoods where the cycle starts over again.

In 1996 we conducted four(4) auctions and sold 899 vehicles, **NONE** if these vehicles sold for more than \$500. All 899 vehicles were put back on the street and many were tagged and towed by NCE a second time. This amendment, if approved by City Council, will improve the abandoned vehicle situation in the neighborhoods and reduce our workload.

In closing I want you to know that we have made trips to the State Legislature for the last four(4) sessions, and we have organized a statewide code enforcement organization to

push for this legislation, it is that important to the cities in Indiana. I have had the opportunity to travel with Area Partnership Representatives David Long, Jenny Huth, Mary Salay, and Jerry Leaman, to the Legislature to testify. Councilman Hall took time from her schedule to travel to Indianapolis and testified in support of the bill. We have had the support of Senators and Representatives throughout the state in getting this bill passed, we are now asking for your support.

BILL NO. S-97-08-11

REPORT OF THE COMMITTEE ON REGULATIONS

REBECCA J. RAVINE - THOMAS E. HAYHURST - CO-CHAIR  
ALL COUNCIL MEMBERS

WE, YOUR COMMITTEE ON REGULATIONS TO WHOM WAS  
REFERRED AN (ORDINANCE) (~~RESOLUTION~~) amending Chapter 90:  
Abandoned Vehicles of the City of Fort Wayne Code of Ordinances

HAVE HAD SAID (ORDINANCE) (~~RESOLUTION~~) UNDER CONSIDERATION  
AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID  
(ORDINANCE) (~~RESOLUTION~~)

DO PASS

DO NOT PASS

ABSTAIN

NO REC

Rebecca Ravine

Thomas E. Hayhurst

William R. Edwards

William R. Edwards

William R. Edwards

William R. Edwards

William R. Edwards

William R. Edwards

William R. Edwards

DATED: 8-26-97

Sandra E. Kennedy  
City Clerk